



City of Concord

City Council

Meeting Minutes - Final-revised

Monday, November 14, 2022

7:00 PM

City Council Chambers
37 Green Street
Concord, NH 03301

Non-public session in accordance with RSA 91-A: 2, I (a) to discuss collective bargaining strategies followed by a non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition to be held at 5:30 P.M.

Present: 13 - Councilor Candace Bouchard, Mayor Jim Bouley, Councilor Stacey Brown, Councilor Byron Champlin, Councilor Nathan Fennessy, Councilor Amanda Grady Sexton, Councilor Fred Keach, Councilor Jennifer Kretovic, Councilor Gail Matson, Councilor Karen McNamara, Councilor Keith Nyhan, Councilor Erle Pierce, and Councilor Brent Todd

Excused: 1 - Councilor Paula McLaughlin

Late: 1 - Councilor Zandra Rice Hawkins

At 5:30 P.M., Councilor Nyhan moved to enter a non-public session in accordance with RSA 91-A: 2, I (a) to discuss collective bargaining strategies, followed by a non-public session in accordance with RSA 91-A:3, II, (d) to discuss the acquisition, sale or lease of property. The motion was duly seconded and passed with no dissenting votes.

Staff members present for the non-public session to discuss collective bargaining strategies: City Manager Tom Aspell; Deputy City Manager - Finance Brian LeBrun; Interim Deputy City Manager - Development Matt Walsh; Deputy City Solicitor Danielle Pacik; Director of Human Resources and Labor Relations Jennifer Johnston; Assistant Finance Director Katie Graff; HU Division Superintendent Jim Major; Police Chief Brad Osgood; and Deputy Police Chiefs John Thomas, Steve Smagula and Barrett Moulton.

At 6:02 P.M., the non-public session to discuss collective bargaining strategies adjourned and the non-public session in accordance with RSA 91-A:3, II (d) began.

City Solicitor Jim Kennedy and City Clerk Janice Bonenfant joined the meeting. Deputy City Solicitor Danielle Pacik; Director of Human Resources and Labor Relations Jennifer Johnston; Assistant Finance Director Katie Graff; HU Division Superintendent Jim Major; Police Chief Brad Osgood; and Deputy Police Chiefs John Thomas, Steve Smagula and Barrett Moulton left the meeting.

The time being 6:57 P.M., Councilor Grady Sexton moved to recess the non-public session, continuing the non-public session following the regular City Council meeting. The motion was duly seconded and passed with no dissenting votes.

1. Call to Order.

Action: Mayor Bouley called the meeting to order.

2. Invocation.
3. Pledge of Allegiance.
4. Roll Call.

Present: 14 - Councilor Candace Bouchard, Mayor Jim Bouley, Councilor Stacey Brown, Councilor Byron Champlin, Councilor Nathan Fennessy, Councilor Amanda Grady Sexton, Councilor Fred Keach, Councilor Jennifer Kretovic, Councilor Gail Matson, Councilor Karen McNamara, Councilor Keith Nyhan, Councilor Erle Pierce, Councilor Zandra Rice Hawkins, and Councilor Brent Todd

Excused: 1 - Councilor Paula McLaughlin

5. Approval of the Meeting Minutes.

October 11, 2022 City Council Draft Meeting Minutes.

Action: Councilor Nyhan moved approval. The motion was duly seconded and passed with no dissenting votes. Councilor Rice-Hawkins abstained.

6. Agenda overview by the Mayor.

****Consent Agenda Items****

Action: Councilor Grady-Sexton moved approval of the consent agenda. The motion was duly seconded and passed with no dissenting votes.

Items Tabled for December 12, 2022 Public Hearings

7. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 26, Building Regulations; together with a report from the Code Administrator.
Action: This ordinance was moved to set for a public hearing.
8. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code; together with a report for each from the Code Administrator.
Action: This ordinance was moved to set for a public hearing.
9. Resolution appropriating the sum of \$20,455.30 for residential granite curb cost sharing and developer reimbursement for off-site improvements along South State Street as part of the Roadway Surface Improvements project (CIP #78) and accepting the sum of \$20,455.30 for this purpose; together with a report from the General Services Director.
Action: This resolution was moved to set for a public hearing.
10. Resolution appropriating the sum of \$24,960.24 as a transfer to the Opioid Abatement Reserve and accepting the sum of \$24,960.24 in Opioid Litigation Settlement funds for this purpose; together with a report from Deputy City Manager-Finance.
Action: This resolution was moved to set for a public hearing.
11. Resolution appropriating the sum of \$35,000 to clean up an abandoned homeless camp on City-owned land at 58 Locke Road and authorizing the use of General fund balance for this purpose; together with a report from the Assistant City Planner.
Action: This resolution was moved to set for a public hearing.
12. Resolution appropriating the sum of \$45,000 for conducting illegal drug related investigations and accepting \$45,000 in grant funding from the New Hampshire Department of Safety - Law Enforcement Opioid Abuse Reduction Initiative Grant for this purpose; together with a report from the Deputy Chief of Police.
Action: This resolution was moved to set for a public hearing.

Consent Reports

13. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,520.15, as provided under the pre-authorization granted by City Council.
Action: This consent report was approved.
14. Quarterly Status Report on the City Council's CY 2022-2023 Priorities.
Action: This consent report was approved.
15. September 30, 2022 Fiscal Year to Date Financial Statements along with report from Deputy City Manager - Finance
Action: This consent report was approved.
16. Report from the Public Safety Advisory Board in response to a City Council referral, regarding password protection for information stored by Vision Government Solutions.
Action: This consent report was approved.
17. Report from the General Services Director requesting the City Manager be authorized to complete application documents and accept approved grant funds from the New Hampshire Department of Environmental Services Lead Service Line Inventory grant program.
Action: This consent report was approved.

Consent Resolutions

18. Resolution proclaiming December 2022 as Capital Region Food Program Month.
Action: This consent resolution was approved.
19. Resolution repurposing the sum of \$8,350.70 from the Arena Facility Improvements Zamboni subproject (CIP #64) for use on the Arena Facility Improvements EPA Compliance subproject (CIP #64); together with a report from the General Services Director.
Action: This consent resolution was approved.

End of Consent Agenda

Public Hearings

- 20A. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-6, Parking Prohibited at All Times in Designated Places, Schedule I, Spruce Street; together with a report from the Interim Deputy City Manager - Development.

Action: City Manager Aspell provided a brief overview of a meeting held by the Parking Committee to address neighborhood concerns regarding parking on Spruce Street. Thereafter, the Parking Committee voted unanimously to recommend repeal of parking regulations per Ordinance 3109. Should the City Council approve, parking will be permitted along both sides of the road between West and Allison Streets.

Mayor Bouley opened the public hearing. There being no public testimony, Mayor Bouley declared the hearing closed.

- 20B. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties, Schedule I; together with non-ordinance fees and a report from the Deputy City Manager - Finance.

Action: City Manager Aspell provided a brief overview of department fee schedules.

Mayor Bouley opened the public hearing. There being no public testimony, Mayor Bouley declared the hearing closed.

- 20C. Ordinance amending the Code of Ordinances; Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties, including Schedule II; together with a report from the Interim Deputy City Manager - Development.

Action: City Manager Aspell provided a brief overview of the Parking Committee's review of the City's current parking ban citations, associated notification process, and tow policies. The Parking Committee recommends the ban citation be reduced from \$100 to \$50; that no escalation shall occur after 10 and 20 business days, respectively; and vehicles impounded during the parking ban shall continue to pay the \$185 tow fee, yet waive the \$50 citation fine.

Mayor Bouley opened the public hearing.

Roy Schweiker, a Concord resident, declared his opposition. He stated that while the tow fee is excessive, one can avoid citation by abiding by a parking ban. Mr. Schweiker declared his recommendation that the fee schedule be re-referred to the Parking Committee in order to determine the actual cost of issuing a citation and adjust the fee accordingly.

There being no further public testimony, Mayor Bouley declared the hearing closed.

- 20D. Resolution appropriating the sum of \$166,000 for the Hall Street Wastewater Treatment Plant Renovations (CIP #104) and to apply for and accept the sum of \$166,000 from the New Hampshire Department of Environmental Services American Rescue Plan Act program for this purpose; together with a report from the General Services Director.

Action: City Manager Aspell provided a brief overview in which \$166,000 in grant funding has been reserved for the Hall Street Wastewater Treatment Plant in order to replace a sludge holding tank mixing system which after 30 years had an unplanned, emergency internal piping failure.

Mayor Bouley opened the public hearing. There being no public testimony, Mayor Bouley declared the hearing closed.

- 20E. Resolution appropriating the sum of \$80,217 for the purchase of two all-terrain vehicles and related transport equipment and accepting the sum of \$80,217 in American Rescue Plan Act funding through the New Hampshire Department of Justice for this purpose; together with a report from the Deputy Chief of Police.

Action: City Manager Aspell provided a brief overview of the increased crime, including two homicides, in conservation areas and trail systems. This proposed resolution's appropriation of two all-terrain vehicles would be specifically for use by the Concord Police Department for patrolling the trails as incidents occur and not for regular use.

Concord Police Chief Brad Osgood provided a brief overview of the free, available training from the New Hampshire Fish & Game Department.

Mayor Bouley opened the public hearing.

Roy Schweiker, a Concord resident, asked if the trail ranger would be able to use one of the all-terrain vehicles. Mr. Schweiker expressed that not all trails are well-suited for the use of all-terrain vehicles and suggested bicycle patrols be utilized for trails not well-accessed by such vehicles. Lastly, Mr. Schweiker noted that the City's use of all-terrain vehicles on trails may prompt the public's desire for using such vehicles.

There being no further public testimony, Mayor Bouley declared the hearing closed.

- 20F. Resolution appropriating the sum of \$45,000 for the purchase of used gas-powered golf carts to supplement the electric golf cart fleet for golf outings and authorizing the use of \$45,000 from Golf Fund balance for this purpose; together with a report from the Deputy City Manager - Finance.

Action: City Manager Aspell provided a brief overview of numerous golf tournaments used to raise funds for non-profit organizations who utilize Beaver Meadow Golf Course. The golf course has had 20 or more tournaments of 110 players each requiring additional carts not available at the course. Purchasing an additional 10-14 carts would allow the course to meet the needs of such tournaments.

General discussion followed about the golf course's financials, tournaments, and utilization of carts on days of poor weather. Councilor Brown asked Deputy City Manager – Finance Brian LeBrun if a non-profit rate for use of Beaver Meadow Golf Course is available for tournaments, if the golf course conducts fundraisers for itself, and if the golf course has covered its overhead for the last five years. Deputy City Manager LeBrun answered no to all three questions.

Mayor Bouley opened the public hearing.

Roland Berube, a Concord resident, declared his opposition to the purchase of gas-powered carts and support of purchasing electric carts, once available, in order to help meet the City's carbon neutral goals.

Jessica Wheeler Russell, a Penacook resident, declared her opposition to the purchase of gas-powered carts and support of purchasing electric carts, once available, in order to help meet the City's carbon neutral goals.

There being no further public testimony, Mayor Bouley declared the hearing closed.

- 20G. Resolution appropriating the sum of \$39,989 for Police Department Roadway Safety and Outreach Initiatives and accepting the sum of \$39,989 in grant funds from the New Hampshire Highway Safety Agency for this purpose; together with a report from the Deputy Chief of Police.

Action: City Manager Aspell provided a brief overview in which the proposed resolution would accept grant funding for Police Department Roadway Safety and Outreach Initiatives including speed patrols, distracted driving patrols, impaired driver patrols, and community outreach to traditionally under-served NH drivers. The grant would fund the overtime costs associated with conducting these patrols.

Mayor Bouley opened the public hearing. There being no public testimony, Mayor Bouley declared the hearing closed.

20H. Resolution appropriating the sum of \$24,436 for law enforcement related programs and accepting the sum of \$24,436 in unmatched grant funds from the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program for this purpose; together with a report from the Deputy Chief of Police.

Action: City Manager Aspell provided a brief overview of the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program which would provide funding for technological upgrades and would require the City to enter into a memorandum of understanding with Merrimack County, who, as required by the grant, would receive \$10,500.

Mayor Bouley opened the public hearing. There being no public testimony, Mayor Bouley declared the hearing closed.

20I. Resolution appropriating the sum of \$21,630 to support projects that enhance the special character and vitality of Concord and accepting the sum of \$21,630 from the New Hampshire Charitable Foundation for this purpose; together with a report from the Deputy City Manager - Finance.

Action: City Manager Aspell provided a brief overview of the New Hampshire Charitable Foundation's allocation which would be used to enhance public areas.

Mayor Bouley opened the public hearing. There being no public testimony, Mayor Bouley declared the hearing closed.

20J. New Hampshire Department of Transportation proposed changes to I-93 Bow/Concord. (Public testimony received.)

Action: City Manager Aspell provided a brief overview of the New Hampshire Department of Transportation's proposed changes to the I 93 Bow/Concord corridor and read a letter from Jason Ayotte, Project Manager from the New Hampshire Department of Transportation. The letter is on file in the City Clerk's Office and states the Department of Transportation will present revised, preliminary engineering; natural and cultural resource impact assessments; and hearing layout revisions to the City prior to a public hearing. The letter also states the goal of hosting informational meetings in Spring 2023.

Mayor Bouley opened the public hearing.

Judith Kurtz, a resident of Concord, spoke on behalf of Concord Greenspace Coalition who is advocating for the City to encourage the State to make plans that do not preclude a deck park, pedestrian bridge, realignment of the rail, waterfront park, and revitalization of Storrs Street. The Coalition would like to see the proposed lane changes reduced from eight lanes to six, a speed limit of 55 MPH, as well as more safety considerations, high quality landscaping at interchanges, and the creation of space for a deck park, pedestrian river bridge, or similar opportunities.

Susanne Smith Meyer, a resident of Concord and member of the Planning Board, spoke about a 1993 Merrimack River charrette sponsored by the National Park Service, and the corresponding report is available in the Concord Public Library. Ms. Smith Meyer declared her concern that the community's desires are pushed aside due to cost.

Tess McMann, a resident of Concord, declared her concerns regarding particulates in the air and elevated noise from the proposed expansion. Ms. McMann expressed her hope for the development of the Merrimack River.

Joel Eaton, a resident of Concord, is employed on the eastern side of Concord and commutes on his bicycle through the Exit 14/Loudon Road interchange. Mr. Eaton expressed his observations of those traveling on Loudon Road by bicycle and by foot whose modes of transportation are limited and how the proposed changes would impact these communities.

Tim Sink, President of the Greater Concord Chamber of Commerce, referenced a community charrette entitled Concord's New Front Door whose goal was to improve the image of Downtown Concord from I-93. Suggestions from that

charette included inexpensive landscaping improvements, decorative fencing, and strategically placed lighting treatments to entice people into the City. Mr. Sink also expressed the desire for improved way-finding and signage as a way to entice travelers from I-93 to visit Concord. Lastly, Mr. Sink expressed the desire for a meaningful way of connecting Downtown with the Merrimack River and the Chambers support for a feasibility analysis of this initiative.

Steve Winnett, a resident of Concord, spoke about a recent trip to Europe and the commerce, art, and recreation that he observed occurring along the riverfronts of numerous European cities.

Fisto Ndayishimiye, from the Democratic Republic of Congo and resident of Penacook, spoke about his experience as a refugee. Mr. Ndayishimiye, a lead organizer of Change for Concord who works with the refugee community, asked the City Council to consider the impacts of this project on the refugee community as the majority of the community do not own vehicles or bicycles.

Jessica Livingston, Mr. Ndayishimiye's mentor and resident of Concord, highlighted Loudon Road as being the most diverse neighborhood in New Hampshire per the U.S. Census Bureau. She declared her hope for the intentional outreach to the refugee community and discussed their separation from other parts of the community.

Discussion and questions followed regarding reaching out to the refugee community and also the availability of City Council for the refugee community to contact.

Ian McGregor, a resident of Concord, noted the connection to the Merrimack River by the New Hampshire communities of Franklin, Manchester, and Exeter. Mr. McGregor spoke about his experience riding his motorized bicycle along Loudon Road, which he described as terrifying. Mr. McGregor declared his opposition to the I 93 proposal and discussed the Merrimack River Greenway Trail. Mr. McGregor noted the increase of downtown parking that would be needed if I 93 changes draw more tourism.

Paul Susca, representing Bike-Walk Alliance of New Hampshire (BWANH), declared the Alliance's appreciation for the current proposal's inclusion of a multi-use path over Loudon Road, continuation of the Merrimack River Greenway Trail through the project area, and treatment of storm water before its discharge into the Merrimack River. Mr. Susca declared the Alliance's support of a feasibility

study by a deck park firm for a deck park; recommendations made by TPAC at the interchanges, roundabouts, and Manchester Street crossing to support pedestrian and bicyclist safety; barrier protected bicycle lanes on major commuting routes; high quality landscaping at interchanges; and beautification of the I-93 overpass over Loudon Road. Mr. Susca declared the Alliance's opposition to the proposals expansion to eight lanes.

Roy Schweiker, a resident of Concord, declared his concern over the New Hampshire Department of Transportation's consideration of the public. Mr. Schweiker declared his opinion that the Merrimack River Greenway Trail should run directly along the Merrimack River from Exits 13 14. Mr. Schweiker also advocated for a bicycle and pedestrian crossing at Exit 15. Mr. Schweiker declared his opposition of the proposed I 93 changes.

Meredith Cooley, a member of Concord Greenspace Coalition and resident of Concord, declared her opinion of the socio-economic divide in the City of Concord exacerbated by the physical division of I-93 into a western and eastern portion. Ms. Cooley declared her support of a deck park, pedestrian bridge, or improvement of similar capacity to ease the division and provide means of transportation for those without vehicle access. Ms. Cooley advocated for the safety of pedestrians and bicyclists at interchanges.

Kari Allen, a resident of Concord, declared her support for less widening of I-93 than proposed. Ms. Allen declared her support of connecting the western and eastern sides of Concord and supports a deck park or bridge for pedestrians and bicyclists.

Allison Grappone, a resident of Concord, declared her support of community charrettes that include residents of various backgrounds and transportation needs as well as other communities along the Merrimack River. Ms. Grappone also declared her support of working with a specialized firm, who has completed other deck park projects, for a feasibility study.

General, brief discussion followed about the timeline and process of a feasibility study.

Ron Rayner, a Concord resident, declared his support of widening to six lanes and stated that eight lanes would require further evaluation. He also declared his support for connecting western and eastern Concord and declared the I-93 proposal a once in a lifetime opportunity. Mr. Rayner's written memorandum is on

file in the City Clerk's Office.

Nicole Fox, a resident of Concord, declared her opposition to the widening of I-93. Ms. Fox asked the City to consider the safety of pedestrians and bicyclists and declared her support of a specialty planning firm for the feasibility study of a deck park.

General discussion followed regarding traffic patterns.

Aaron Fracht-Monroe, a resident of Concord, declared his opinion of the importance of pedestrian and bicyclist paths and declared that highway lanes be for safety rather than high speed.

Jeff Evans, a resident of Concord, declared his concern as to whether widening I-93 would ease congestion. Mr. Evans supports a feasibility study regarding access to the river and provided written statements to the City Council addressing each interchange.

Anna Krasinski, a resident of Concord, declared her opinion on the importance of a specialty planning firm to conduct a feasibility study as well as the importance of safe access for pedestrians and bicyclists.

Susan Woods, a resident of Concord, declared her concern for pedestrian and bicyclist safety infrastructure. Ms. Woods requested the City Council ask New Hampshire Department of Transportation for creativity to ease I-93 congestion in a way that does not widen the highway as proposed. Ms. Woods also requested City Council approve funding for a deck park and the inclusion of a potential deck park into the New Hampshire Department of Transportation proposal. Lastly, Ms. Woods requested that more funding of the proposal be designated to non-vehicle considerations.

Dick Lemieux, President of Merrimack River Greenway Trail and resident of Concord, declared his opinion that widening highways reduces both congestion and carbon monoxide. Mr. Lemieux declared his desire for greater walk ability and bicyclist safety, and he discussed the use of bike paths for commuters. Mr. Lemieux supports the consideration of federal grants for the widening of I 93 and building of the Merrimack River Greenway Trail. Discussion followed regarding fundraising by the Merrimack River Greenway Trail and its goal to complete a boardwalk, thus providing connection to other areas.

There being no further public testimony, Mayor Bouley declared the hearing closed.

Report to City Council regarding I-93 Bow-Concord Widening Project Bridge Park Concept

Public Hearing Action

21. Ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-6, Parking Prohibited at All Times in Designated Places, Schedule I, Spruce Street; together with a report from the Interim Deputy City Manager - Development.

Action: Councilor Nyhan moved approval. The motion was duly seconded and passed with no dissenting votes.

22. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties, Schedule I; together with non-ordinance fees and a report from the Deputy City Manager - Finance.

Action: Councilor Matson moved approval. The motion was duly seconded and passed with one dissenting vote.

23. Ordinance amending the Code of Ordinances; Title I, General Code; Chapter 1, Government Organization, Article 1-5, Fees, Fines, and Penalties, including Schedule II; together with a report from the Interim Deputy City Manager - Development.

Action: Councilor Kretovic moved approval. The motion was duly seconded and passed with no dissenting votes.

24. Resolution appropriating the sum of \$166,000 for the Hall Street Wastewater Treatment Plant Renovations (CIP #104) and to apply for and accept the sum of \$166,000 from the New Hampshire Department of Environmental Services American Rescue Plan Act program for this purpose; together with a report from the General Services Director.

Action: Councilor Nyhan moved approval. The motion was duly seconded and passed with no dissenting votes.

25. Resolution appropriating the sum of \$80,217 for the purchase of two all-terrain vehicles and related transport equipment and accepting the sum of \$80,217 in American Rescue Plan Act funding through the New Hampshire Department of

Justice for this purpose; together with a report from the Deputy Chief of Police.

Action: Councilor Nyhan moved approval. The motion was duly seconded and passed with one dissenting vote. Councilor Brown recused.

26. Resolution appropriating the sum of \$45,000 for the purchase of used gas-powered golf carts to supplement the electric golf cart fleet for golf outings and authorizing the use of \$45,000 from Golf Fund balance for this purpose; together with a report from the Deputy City Manager - Finance.

Action: Councilor Fennessy moved approval. The motion was duly seconded and passed with three dissenting votes. Councilor Brown requested a roll call vote be taken.

Yes: 11 - Councilor Bouchard, Mayor Bouley, Councilor Champlin, Councilor Fennessy, Councilor Keach, Councilor Kretovic, Councilor Matson, Councilor McNamara, Councilor Nyhan, Councilor Pierce, and Councilor Todd

No: 3 - Councilor Brown, Councilor Grady Sexton, and Councilor Rice Hawkins

Excused: 1 - Councilor McLaughlin

27. Resolution appropriating the sum of \$39,989 for Police Department Roadway Safety and Outreach Initiatives and accepting the sum of \$39,989 in grant funds from the New Hampshire Highway Safety Agency for this purpose; together with a report from the Deputy Chief of Police.

Action: Councilor Grady-Sexton moved approval. The motion was duly seconded and passed with no dissenting votes. Councilor Brown recused.

28. Resolution appropriating the sum of \$24,436 for law enforcement related programs and accepting the sum of \$24,436 in unmatched grant funds from the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program for this purpose; together with a report from the Deputy Chief of Police.

Action: Councilor Grady-Sexton moved approval. The motion was duly seconded and passed with no dissenting votes. Councilor Brown recused.

29. Resolution appropriating the sum of \$21,630 to support projects that enhance the special character and vitality of Concord and accepting the sum of \$21,630 from the New Hampshire Charitable Foundation for this purpose; together with a report from the Deputy City Manager - Finance.

Action: Councilor Grady-Sexton moved approval. The motion was duly seconded and passed with no dissenting votes.

30. New Hampshire Department of Transportation proposed changes to I-93 Bow/Concord. (Public testimony received.)

Action: A vote on the New Hampshire Department of Transportation proposed changes to I-93 Bow/Concord was recessed to the December 2022 City Council Meeting.

Report to City Council regarding I-93 Bow-Concord Widening Project Bridge Park Concept

Action: Councilor Champlin moved approval of the report. The motion was duly seconded and passed with no dissenting votes.

Appointments by the Mayor

Reports

New Business

Unfinished Business

31. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, Article 1-6, Code of Ethics; together with a report from the Rules Committee. (Supplemental ordinance and report submitted.) (Public testimony received.) (Supplemental ordinance and report from the Rules Committee submitted.)

Action: No action was taken on this item. Item remains tabled.

Comments, Requests by Mayor, City Councilors

Action: Councilor Kretovic expressed her gratitude to the City Clerk's Office and all those who volunteered their time for the election. Councilor Kretovic declared her opinion on the importance of finding a new Ward 3 polling location.

Councilor Todd shared two upcoming events by Penacook Village Association, including their annual tree lighting on Wednesday, November 30 at 6:00 pm, and their annual meeting on December 8 at 7:00 pm at the Penacook Elementary School cafeteria.

Councilor Rice Hawkins expressed her gratitude to the Concord Police Department for their work apprehending a suspect in the double homicide. Councilor Champlin also expressed his gratitude for good police work leading to the apprehension of

the suspect.

Councilor Rice Hawkins also thanked the community, several City Councilors, School Board members, and community leaders for their presence at an event held by Teatotaller.

Comments, Requests by the City Manager

Consideration of Suspense Items

To be set for a December 12, 2022 Public Hearing

Sus1 Resolution appropriating the sum of \$1,300,000 for the acquisition of real estate to be developed at #76 Community Drive, Penacook for the purpose of establishing a new Penacook Branch Library and Community Center (CIP #650), authorizing the City Manager to enter into a purchase and sale agreement with the Boys and Girls Club of Central New Hampshire to acquire said real estate, authorizing the issuance of bonds and notes in the sum of \$1,300,000 for this purpose, and authorizing the divestment of city owned property located at #3 Merrimack Street, Penacook, together with other vacant City land located at the intersection of Sanders and Merrimack Street, Penacook (tax map parcel 1412p-57) upon completion of the new Penacook Branch Library and Community Center at #76 Community Drive; together with a report from the Interim Deputy City Manager - Development. (Public testimony received.) (Supplemental report, supplemental Purchase and Sales Agreement and additional public testimony received.)

Action: Councilor Kretovic moved to suspend the rules and consider items not previously advertised. The motion was duly seconded and passed with no dissenting votes.

Councilor Todd moved to set this resolution for a December 12, 2022 public hearing. The motion was duly seconded and passed with no dissenting votes.

Adjournment

Action: At 11:02 PM, Councilor Bouchard moved to suspend the rules and continue the meeting past 11:00 PM. The motion was duly seconded and passed with one dissenting vote.

At 11:03 PM, Councilor Pierce moved to re-enter the non-public session in accordance with RSA 91-A:3, II (d), to continue to discuss the acquisition, sale or lease of property. Note, in public session at their regular Council meeting, City Council voted to suspend their rules and continue meeting after 11:00 PM.

At 11:33 PM, Councilor Nyhan moved to adjourn the non-public session and enter into a non-meeting, attorney client meeting. The motion was duly seconded and passed with no dissenting votes. City Manager Aspell and City Solicitor Jim Kennedy remained in the meeting. All other staff members left the non-public session.

At 11:54 PM, Councilor Champlin moved to exit the meeting. The motion was duly seconded and passed with no dissenting votes.

In public session, Councilor Bouchard moved to seal the minutes of the non-public session. The motion was duly seconded and passed with no dissenting votes.

At 11:55 PM, there being no additional Council business, Councilor Kretovic moved to adjourn. The motion was duly seconded and passed with no dissenting votes.

Information

- A. April 19, 2022, June 21, 2022, and August 16, 2022 Traffic Operations Committee Meeting Minutes.

Action: Information item received and filed.

- B. October 3, 2022 Concord Public Library Board of Trustee Meeting Minutes.

Action: Information item received and filed.

- C. October 13, 2022 Golf Course Advisory Committee Draft Meeting Minutes.

Action: Information item received and filed.

- D. October 17, 2022 Fiscal Policy Advisory Committee Draft Meeting Minutes.

Action: Information item received and filed.

A true copy; I attest:

*Elisabeth Harrington
Deputy City Clerk*